

Town of Washington Board of Selectmen's Meeting – October 17, 2011

1. J. Huebner called the meeting to order at 6:59 pm. J. Huebner, S. Lennon and M. Case present.
2. The Pledge of Allegiance was recited.
3. J. Huebner motioned to approve the minutes of October 3, 2011 as written. S. Lennon seconded and the motion passed unanimously.
4. Leslie Conlin Lennon of 1725 Washington Mtn. Road read aloud a letter responding to a complaint that she believes will be brought against her. The letter addressed the care of the three horses that will be living at that residence during the winter stating that the horses have access to a natural water supply 24/7 365 days a year, that they are feed grain, hay and graze upon a 3 acre pasture with access to natural resources for shelter, which according to Mass Law, is considered adequate shelter. The letter stated the belief that the complaint is more from a vendetta then the horses living on the property. L. Lennon submitted the letter to the Board along with a copy of the law. The Board informed L. Lennon that they were not aware of any complaint but thank her for addressing it anyway.
5. K. Sharp asked the Board for an update on Upper Valley Road as it is still flooded. J. Huebner reported that CSX representatives claim that dam device has been widen. The Board is awaiting CSX response to an official inspection as CSX has asked the Board to seek permission to enter railroad's right of way. C. Willis informed the Board that M. Lay side of the road is now flooding and that the Town's culvert is plugged up and underwater. The Board discussed along with C. Willis and K. Sharp other locations in which the water drains determining that the only other place Muddy Pond drains is on Hinsdale side and that this is the worst level and duration of flooding the history of Upper Valley Road. C. Willis suggested using gravel to build up the road approximately two feet adding that the patch of road starting at the culvert used to be gravel and that it was raised in the past but the road has sunk. The Board will discuss the topic further in the Capital Asset Meeting scheduled for later in the evening.
6. K. Sharp also informed the Board that there was an article in the Sunday, October 9, 2011 edition of the Berkshire Eagle reporting additional unrestricted local aid that will be distributed to cities and towns statewide and that the Town of Washington was not listed. J. Huebner informed K. Sharp that R. Spencer had contacted Senator Downing's Office and received an apology and a copy of the revised press release which reports that The Town of Washington will be receiving an additional \$5,776.00 dollars in aid.
7. J. Hostetter reported that J. Les is compiling a quote for the requested laptop and that he inspects the scanner to determine why scanned documents have a distorted line running through them.
8. J. Huebner informed the Board that the Board of health meeting is going to be moved to the October 24, 2011 as V. Bird is not able to attend the earlier scheduled meeting.
9. C. Willis addressed the Board with his concern that the residents of the Town were told that White Wolf generated \$31,000 in revenue from hauling trash from the Transfer Station explaining that \$24,000 of the \$31,000 billed to the Town was for reimbursement of money paid by his company to Covanta to except trash on behalf of the Town as the Town did not have a contract with Covneta. C. Willis added that he did not make a profit from loaning the Town the front money or providing that service and that his companies have given the Town great

deals in the past and that the Town is wrong for trying to take away his contract. C. Willis then submitted a breakdown which separated White Wolf's hauling fees from with Covanta fees. After discussion the Board informed C. Willis that the Town now has an account with Covanta so he will no longer have to front the money and that decision to bid out the Transfer Station hauling was made to protect the Town by getting a contract on file as no one has been able to locate a contract and the Town is spending a lot of money. C. Willis stated that he can provide the Town with a copy of his current contract adding that it is a three year contract that went through the bidding process.

10. The Board reviewed the action items:
 - Beaver permit notification and trapping reporting item remains open.
 - J. Hostetter reported that she has drafted a public record request for the amount of revenue generated from the City of Pittsfield recent completed forest cutting plan.
11. D. Fish reported that he had reviewed T. Soules and recommended that he get a small raise. D. Fish then submitted a signed copy of the review for T. Soules' personnel file. J. Huebner motioned to give T. Soules a fifty cents an hour raise effective today. K. Sharp stated that he thought raises were given annually at the town meeting. J. Huebner informed K. Sharp that during the budgeting process potential raises are factored into the next fiscal year budget on a percentage basis and that this is T. Soules' hire date anniversary. The Board reviewed the review then asked D. Fish for clarification on the low mark for communication skills with a follow up question on whether goals were established. There was a brief discussion amongst K. Sharp, S. Connor and L. Boyd regarding how various establishments submit written goals then uses them as a tool during the following year appraisal. M. Case expressed his opinion that raises should be done at the fiscal year end. The Board discussed if they should adopt a formal policy on when annual raises are given considering anniversary date or fiscal year. J. Huebner motioned to adopt a policy to do all annual raises in June before July. M. Case seconded the motion. The Board asked D. Fish to inform T. Soules that the next salary action will be at the end of the fiscal year. D. Fish asked the Board to clarify the 90 day review process. The Board agreed that new hires will be reviewed after ninety days. S. Lennon asked D. Fish how long he has been on the job to which D. Fish replied four years. S. Lennon followed up with when D. Fish last received a raise to which D. Fish replied that he has not received a raise. K. Sharp asked the Board who does reviews on the Highway Superintendent, when a review was last done and why a raise was not given. J. Huebner informed K. Sharp that the Board of Selectmen conducts the review and that one was done this past Spring and that it wasn't that he was not recommended for a raise but that the Board just didn't give him one. There was some discussion on rectifying that oversight.
12. J. Huebner stated that the Town of Washington received one bid for the purchase of the Mapleview Nursing Home. J. Huebner then opened at 7:57 pm a bid from Lisa and Timothy Boyd announcing that the amount of the bid is one US dollar with voluntary service for the Town and that the proposed use is a private residence and a health retreat business. The Board informed the Boyd's that a decision would not be made at this meeting and explained that the proposal will be evaluated and if it is determined that the Town should decide to go forward with their proposal that they will be asked to discuss their proposal. L. Boyd informed the Board that they are prepared to do a presentation to the Board and residence. The Board thanked the Boyd's and J. Huebner asked J. Hostetter to make copies for the Capital Asset meeting scheduled for later in the evening.
13. J. Huebner informed the Board of WindWise's concern regarding the negative health effects of large wind turbines adding that Wind Wise has not asked to Town to join any petitions but that they continue to petition the State of Massachusetts to make sure regulations are enforced.

14. The Board asked D. Fish if he had decided on who he would like to hire to fill the open Highway Department position. D. Fish replied that he had not decided yet but has narrowed it down to three and that he is still checking references. J. Hostetter informed the Board that another application had come it then forwards it to D. Fish.
15. The Board asked D. Fish for a FEMA update. D. Fish reported that he had met with FEMA representatives again for a review of the washout sites and that he is following up on some suggestions made by FEMA and that the kickoff package has been given to Sandy with most of the bills. The Board discussed the November 2nd and 4th deadline.
16. J. Huebner informed Chief Breen that one of the questions asked of the interviewed candidates for the Highway Department was if they would be willing to work as a bus driver or substitute on the Highway Department if they not hired for interviewed position and that a few of them indicated that would be interested. Chief Breen reported that he is looking into a couple of them.
17. J. Hostetter informed the Board that none of the current language of the Public Record Request Procedure needs to be changed as a result of J. Nelson's communication with The Commonwealth of Massachusetts Public Records Division.
18. J. Huebner entered into record receipt of a Notice of Public Hearing from the Town of Lee regarding a Public Hearing being held on Monday, October 31, 2011 at 6:15 pm to discuss approval of a Special Permit application to operate an automobile repair business at 195 Water Street in Lee.
19. J. Huebner informed the Board that CSX has sent a copy of a claim form including instructions then asked J. Hostetter to make four copies and send them to D. Fish, C. Willis, G. Laye and R. Crocker. J. Hostetter delivered to D. Fish and C. Willis, who were present during the meeting.
20. J. Huebner entered into the record receipt of correspondence from MIIA outlining the \$3,185.00 in credits, dividends and early payment discounts received for the time period of December 2010 through May 2011.
21. J. Huebner informed the Board that this year's Berkshire County Selectmen's Association dinner is being held at Crissey Farm located in the Town of Great Barrington on Thursday, November 3, 2011 at 6:00 pm. Both M. Case and Chief Breen express interest in attending. S. Lennon will be unable to attend due to employment responsibilities.
22. J. Huebner entered into record receipt of a fax from Maxymillian Technologies informing the Town that DIGSAFE has be notified that excavation of contaminated soil will be performed at 169 Upper Valley Road. J. Hostetter informed the Board that both the Highway Department and Building Inspector have received a copy of the notification.
23. J. Huebner entered into record the Administrative Assistants copy of the Commonwealth of Massachusetts Public Records Division correspondence to L. Peltier informing her that the Town has made the requested records available and that her petition appealing the Town's response is considered closed.

24. J. Huebner entered into record receipt of a price list and order form from Hobbs & Warren for Forms and Books used by Selectmen/ Licensing Authorities/ Planning Boards/ Fire and Police/ Veteran's Services/ Water & Sewer Plumbing/ Wiring/ Gas Inspectors Departments.
25. J. Huebner informed the Board that he has received a letter from the Superintendent of Schools requesting a meeting with the Board between now and the end of December. J. Huebner will setup a meeting.
26. J. Huebner informed the Board that Health Agent V. Bird will be unable to attend the Board of Health meeting scheduled for October 24, 2011 so that meeting is push out to October 31, 2011 and that he has schedule a joint meeting with the Conservation Commission for October 24, 2011.
27. J. Huebner confirmed with S. Lennon that he is working with Chief Breen on the Town's radio smaller band compliance.
28. J. Huebner motioned to close the Selectmen's meeting at 7:53 pm to begin the Capital Asset meeting.

Approved: _____

Date: _____

Approved: _____

Approved: _____

Submitted by J. Hostetter

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